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To:	United States Patent and Trademark Office Commissioner for Patents	From:	Shirley A. Kopecky
Fax:	571-273-8300	Phone:	713-483-5386
Pages:	4 Including cover sheet	Fax:	713-483-5384/281-884-0623
Phone:		Date:	9/28/2006
Re:	Attorney Docket: COS-890	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Customer No: 25264

In re Application of: Jim Butler et al.
Serial No.: 10/749,259
Confirmation No.: 8566
Filed: December 31, 2003
For: USING EXCESS LEVELS OF
METAL SALTS TO IMPROVE
PROPERTIES WHEN
INCORPORATING POLYMERS
IN ASPHALT

§ Examiner: Peter Mulcahy
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§ Group Art Unit: 1713
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§ Attorney Docket No. COS-890
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See attached:

1. Notice Of Appeal From The Patent Examiner To The Board Of Patent Appeals And Interferences; and
2. Transmittal Letter and Fee Authorization.

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Attorney Docket No. COS-890
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

CERTIFICATE OF FACSIMILE 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the designated fax 571-273-8300, to the attention: Mail Stop AF, Commissioner for Patents, on the date below.

September 28, 2006
Date

Shirley A. Kopecky
Signature

TRANSMITTAL LETTER AND FEE AUTHORIZATION

In connection with the above-identified application, Applicants respectfully submit the following:

1. Notice Of Appeal From The Patent Examiner To The Board Of Patent Appeals And Interferences; and
2. Transmittal Letter and Fee Authorization.

The Commissioner is hereby authorized to charge the required fee of \$500.00 and any additional fees that may be required for this submission, or to credit any overpayments to Deposit Account No. 03-3345.

Dated

September 28, 2006

Respectfully submitted,

Shirley A. Kopecky
Shirley A. Kopecky
Registration No. 48,460
FINA TECHNOLOGY, INC.
P.O. Box 674412
Houston, Texas, 77267-4412
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Facsimile: 713-483-5384
Attorney for Applicant(s)

Docket No. COS-890
Customer No: 25264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jim Butler et al.

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IN ASPHALT

§ Examiner: Peter Mulcahy

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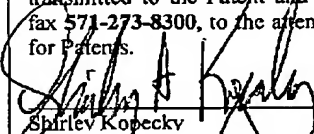
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	September 28, 2006
Shirley Kopeckv	

**NOTICE OF APPEAL FROM THE PATENT EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

The Applicants hereby appeal to the Board from the decision of the Patent Examiner mailed June 28, 2006, finally rejecting Claims 1-3, 5-20, 23-24, 26, 28, 30-32, 35-37, 39-47, and 49-50, and the subsequent Advisory Action dated September 8, 2006. This application is not on behalf of a small entity. Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is \$500.00

The Commissioner is hereby authorized to charge the fee of \$500.00 or any additional fees which may be required or credit any overpayment to Deposit Account No. 03-3345.

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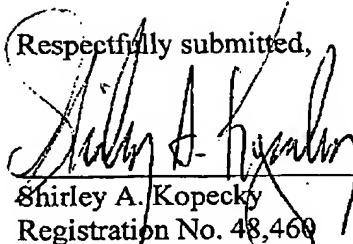
Docket No. COS-890

Customer No: 25264

Dated

September 28, 2006

Respectfully submitted,



Shirley A. Kopecky

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